

The UNIVERSITY, to the extent permitted by Oklahoma State law, includes the Federal Acquisition Regulation (FAR) clauses 52.219-8, "Utilization of Small Business Concerns (Oct 1999) and 52.219-9, "Small Business Subcontracting Plan (Oct 2000)" in all contracts for the construction of any public facility, in excess of \$1,000,000.

Selection of subcontractors for a specific project is the sole responsibility of the selected General Contractor or Construction Manager @ Risk firm, as appropriate. For projects that exceed \$1,000,000, the General Contractor or CM @ Risk, as appropriate, is requested to submit to OSU Architecture Services, a specific Subcontracting Plan, based upon the below guideline Subcontracting Plan:

## GUIDELINE SUBCONTRACTING PLAN

### 1. OBJECTIVES FOR SUBCONTRACTING PLAN

(a) Maximum practicable utilization of small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns as subcontractors within OSU System and A&M construction projects results in both social and economic benefits.

(1) OSU is committed to ensuring that maximum practicable opportunity is provided to small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns to participate as subcontractors in the performance of this contract, consistent with its efficient performance, must be reflected in the offeror's subcontracting plan, to be submitted to OSU as part of the executed contract.

(2) The offeror shall demonstrate that its subcontracting plan represents a creative and innovative program for involving small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns in performing this contract. An offeror submitting a subcontracting plan must demonstrate its commitment in providing maximum practicable opportunities through subcontracting opportunities it provides to small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small businesses.

(3) The subcontracting plan shall include a description of the offeror's subcontracting strategies used in previous contracts and significant achievements, with an explanation of how this plan will build upon those earlier achievements. Additionally, the offeror shall demonstrate through its plan that it understands the small business subcontracting program's objectives, OSU's expectations, and is committed to taking those actions necessary to meet these goals or objectives.

### 2. DEFINITIONS USED WITHIN THE SUBCONTRACTING PLAN

- Small Business: a business concern that is organized for profit, is independently owned and operated, is not dominant in the field of operation in which it is bigger, and meets size standards as prescribed by SBA (13 CFR Part 121).
- HUBZone (Historically Underutilized Business Zone): a small business that appears on the list of Qualified HUBZone Small Business maintained by the US Small Business Administration (<https://eweb1.sba.gov/hubzone/internet/>). The program resulted from provisions contained in the Small Business Reauthorization Act of 1997. To qualify for the program, a business must meet the following criteria: (i) It must be a small business by SBA standards; (ii) It must be owned and controlled at least 51% by US citizens, or a Community Development Corporation, or an agricultural cooperative or an Indian tribe; (iii) Its principal office must be located within a "Historically Underutilized Business Zone," which includes lands considered 'Indian Country' and military facilities closed by the Base Realignment and Closure Act; and (iv) At least 35% of its employees must reside in a HUBZone.
- Small Disadvantaged Business: a small business that: (i) has received certification as a small disadvantaged business consistent with 13 CFR part 124, Subpart B; (ii) no material change in disadvantaged ownership and control has occurred since its certification; (iii) where the business is owned by one or more individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000, after taking into account the applicable exclusions set forth at 13 CFR 124.104©(2); and (iv) is identified, on the date of its representation, as a certified small disadvantaged business in the database maintained by the Small Business Administration (PRO-Net: <http://pro-net.sba.gov/>).

- Woman-Owned Business: a small business that: (i) is at least 51% unconditionally owned by one or more women; or in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more women; and (ii) whose management and daily business operations are controlled by one or more women. "Operated" means actively involved in the day to day management.
- Veteran-Owned Small Business: a small business that: (i) is at least 51% unconditionally owned by one or more veterans (as defined at 38 U.S.C. 101(2)); or in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more veterans; and (ii) whose management and daily business operations are controlled by one or more veterans.
- Service-Disabled Veteran-Owned Small Business: small business that: (i) is at least 51% unconditionally owned by one or more service-disabled veterans (as defined at 38 U.S.C. 101(2), with a disability that is service connected, as defined in 38 U.S.C. 101(16)); or in the case of any publicly owned business, at least 51% of the stock of which is unconditionally owned by one or more service-disabled veterans; and (ii) whose management and daily business operations are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

### 3. GOALS FOR SUBCONTRACTING PLAN

(a) OSU believes that this contract provides significant opportunities for the use of small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns as subcontractors. Accordingly, it is anticipated that an acceptable subcontracting plan will contain at least the following goals:

Small Business	<u>    TBD    </u> percent
HUBZone Small Business	<u>    TBD    </u> percent
Small Disadvantaged Business	<u>    TBD    </u> percent
Women-Owned Small Business	<u>    TBD    </u> percent
Veteran-Owned Small Business	<u>    TBD    </u> percent
Service-Disabled Veteran-Owned Small Business	<u>    TBD    </u> percent

**NOTE:** (1) Target goals are expressed as a percentage of planned subcontracting dollars.

(b) In determining the acceptability of any subcontracting plan, OSU's Project Manager will—

- (1) Review the plan to verify that the offeror has demonstrated an understanding of the small business subcontracting program's objectives and OSU's expectations with respect to the programs and has included all the information, goals, and assurances required;
- (2) Consider previous goals and achievements of contractors in the same industry;
- (3) Consider information and potential sources obtained from agencies administering national and local preference programs and other advocacy groups in evaluating whether the goals stated in the plan adequately reflect the anticipated potential for subcontracting to small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns; and
- (4) Review the offeror's description of its strategies, historical performance and significant achievements in placing subcontracts for the same or similar services with small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns.

(c) Failure to submit an acceptable subcontracting plan and/or correct deficiencies in a plan within the time specified by OSU's Project Manager Officer shall make the offeror ineligible for award.

### 4. EQUITABLE OPPORTUNITY

Describe the efforts your company will make to ensure that small, HUBZone small, small disadvantaged, and women-owned small business concerns will have an equitable opportunity to compete for subcontracts. These efforts may include, but are not limited to the following activities:

A. Outreach efforts to obtain sources:

- Contacting minority and small business trade associations
- Contacting business development organizations
- Requesting sources from the Small Business Administration's Procurement Marketing and Access Network (PRO-Net)
- Attending small, minority, and women-owned business procurement conferences and trade fairs

B. Internal efforts to guide and encourage equitable opportunity:

- Presenting workshops, seminars and training programs

\_\_\_\_\_ Establishing, maintaining and using small, HUBZone small, small disadvantaged and women-owned business source lists, guides and other data for soliciting subcontracts

\_\_\_\_\_ Monitoring activities to evaluate compliance with the subcontracting plan

C. Additional efforts: (Please describe.)

## 5. DESCRIPTION OF GOOD FAITH EFFORT

(a) Past Performance: Describe your company's historical performance and significant achievements in placing subcontracts for the same or similar services with small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns.

(b) With each subcontract bid package, confirm your company's effort to ensure that small, HUBZone small, small disadvantaged, and women-owned small business concerns were given an equitable opportunity to compete for the subcontracts listed within the bid package.

(c) With each subcontract bid package, list the percentage attained for each goal category to confirm the success of your company's achievements in placing subcontracts with small, HUBZone small, small disadvantaged, women-owned, veteran-owned, and service-disabled veteran owned small business concerns.

## 6. SIGNATURES REQUIRED

This subcontracting plan was submitted by: This subcontracting plan was accepted by:

Signature:

Typed Name:

Title:

Date:

Signature:

Typed Name:

Title: OSU Project Manager

Date: